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Paper No. 4

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OFFICE OF PETITIONS

In re Application of  
Piero Anversa  
Application No. 09/919,732  
Filed: July 31, 2001  
Attorney Docket No. 674554-2002

:  
: DECISION GRANTING  
: PETITION  
:  
:

This is a decision on the paper styled "Petition To Accord Filing Date..." filed on August 17, 2001, which is being treated as a petition under 1.10(c), requesting that the above-identified application be accorded a filing date of July 31, 2001, rather than the presently accorded filing date of August 1, 2001.

Applicant alleges that the application was deposited in "Express Mail" service with the U.S. Postal Service, on July 31, 2001. In support, applicant provided a copy of the Express Mail label, receipt no. EL819168747US, showing a Date-In of July 31, 2001. The same Express Mail number appears on the original transmittal letter found in the present application. Applicant requests that the application be accorded a filing date of July 31, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on July 31, 2001.

The petition is granted.

The application is being returned to Initial Patent Examination Division to await applicant's reply to the Notice mailed September 4, 2001, and for correction of the filing date to July 31, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

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